
United Nations

Resolution 1995/20



Economic and Social Council

49th plenary meeting
24 July 1995

1995/20. Measures to strengthen international cooperation to prevent diversion of substances listed in table I of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 and used in the illicit manufacture of stimulants and other psychotropic substances

The Economic and Social Council,

Concerned about the recent discovery of world-wide diversion of vast quantities of ephedrine and pseudoephedrine from licit manufacture and trade to be used for the illicit manufacture of methamphetamine,

Recognizing the rapid increase in illicit trafficking and use of stimulants throughout the world, and the need for the international community to strengthen countermeasures against the illicit trafficking in stimulants and their precursors,

Taking note of the proliferation of the illicit manufacture of a variety of drugs, especially stimulants, which has occurred throughout the world, and the fact that such massive production depends upon an equally massive diversion of substances listed in table I of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,^{1/}

Realizing that brokers frequently serve as mediators in transactions involving substances listed in table I which are ultimately diverted,

Recognizing the need for the international community to renew its commitment to cooperation through the exchange of information and to strengthen countermeasures against the illicit traffic in and abuse of psychotropic substances, in particular stimulants, and their precursors,

Noting with appreciation the publication entitled Precursors and Chemicals Frequently Used in the Illicit Manufacture of Narcotic Drugs and Psychotropic Substances: Report of the International Narcotics Control Board for 1994 on the Implementation of Article 12 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,^{2/} and welcoming the initiative taken jointly by the International Narcotics Control Board and the Pompidou Group of the Council of Europe to hold a meeting of experts to review the issue of brokers dealing with precursors and psychotropic substances and to consider concrete measures effectively to control the operations of brokers,

Recalling its resolutions 1981/7 of 6 May 1981, 1992/29 of 30 July 1992 and 1993/40 of 27 July 1993,

1. Urges Governments, where appropriate, to invoke article 12, paragraph 10 (a), of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988, in order to give importing countries advance notice of any shipment of substances listed in table I of that Convention;
2. Requests the Government of an exporting country, subject to its legal provisions, to provide the

following information to the competent authorities of the importing country prior to any export, even when the importing country has not yet formally requested such notification under article 12, paragraph 10 (a), of the 1988 Convention:

- (a) Name and address of the exporter and importer and, when available, of the consignee;
- (b) Name of the substance listed in table I of the 1988 Convention;
- (c) Quantity of the substance to be exported;
- (d) Expected point of entry and expected date of dispatch;
- (e) Such other information as the exporting Government may deem relevant;

3. Requests, for any substance listed in table I of the 1988 Convention, the Government of an importing country, upon receipt of any form of pre-export notification from the exporting country, to undertake, through its regulatory authorities and in cooperation with the law enforcement authorities, an investigation of the legitimacy of the transaction, and, with the possible assistance of the International Narcotics Control Board, to convey information thereon to the exporting country;

4. Urges Governments of exporting countries at the same time to conduct their own investigation in questionable cases and to seek information and views from the Board, international organizations and Governments as appropriate, inasmuch as additional facts establishing suspicion may be available to them;

5. Requests Governments, where there is sufficient evidence that a substance may be diverted into illicit channels, to stop the shipments or, where circumstances warrant, to cooperate in controlled deliveries of suspicious shipments in special circumstances if the security of the shipment can be sufficiently ensured, if the quantity and nature of the chemical involved is such that it can be managed feasibly and safely by the competent authorities, and if all States whose cooperation is necessary, including transit States, agree to the controlled delivery;

6. Urges Governments to exercise, as a matter of urgency, increased vigilance over the activities of brokers handling substances listed in table I of the 1988 Convention, in view of the special role that some of them play in the diversion of such substances, and to subject them to licensing or other effective control measures as necessary;

7. Also urges Governments to ensure, as far as possible, that shipments entering or leaving free ports, free zones and bonded warehouses be subject, where permitted, to the controls necessary to safeguard against diversion;

8. Further urges Governments, subject to the provisions of national legislation on confidentiality and data protection, to inform the Board on a regular basis, upon request of the Board and in the form and manner provided for by it, of the quantities of substances listed in table I of the 1988 Convention that they have imported, exported or transshipped, and encourages them to estimate their annual licit needs;

9. Requests the Board, drawing upon the capabilities of the United Nations International Drug Control Programme, to collect information pursuant to paragraph 8 above, and to further develop and strengthen its database, in order to assist Governments in preventing diversion of substances listed in table I of the 1988 Convention and the Commission on Narcotic Drugs in discussing the control of illicit manufacture of, trafficking in and use of psychotropic substances, especially of stimulants and their precursors, and in formulating policy recommendations in this field;

10. Requests all Governments to provide the Secretary-General, subject to the provisions of national legislation on confidentiality and data protection, with names and addresses of the manufacturers, within their countries, of substances listed in table I of the 1988 Convention, and requests the Secretary-

General to include that information in the publication entitled *Manufacture of Narcotic Drugs and Psychotropic Substances under International Control*; 3/

11. Requests the Secretary-General, with the assistance of the Executive Director of the Programme and in consultation with the Board, to convene, drawing upon voluntary contributions from Governments, expert meetings in 1995 and 1996 of regulatory and law enforcement authorities of interested Governments, in order to discuss countermeasures against the illicit manufacture of and trafficking in psychotropic substances, particularly stimulants, and the illicit use of their precursors on the basis of the study to be prepared in accordance with paragraph 12 of the present resolution;

12. Also requests the Secretary-General, with the assistance of the Executive Director of the Programme and in consultation with the Board, to undertake within existing resources a thorough study on stimulants and the use of their precursors in the illicit manufacture of and trafficking in drugs, and to prepare a report thereon for submission to the Commission, taking into account any comments that may be made on the study at the expert meetings referred to in paragraph 11 of the present resolution;

13. Encourages Governments to consider strengthening, where necessary, the working mechanisms to prevent diversion of substances listed in table II of the 1988 Convention, as described in the present resolution;

14. Requests the Secretary-General to transmit the present resolution to all Governments for consideration and implementation, and asks the Board, in cooperation with the Programme, to report on its implementation to the Commission at its thirty-ninth session.

Notes

1/ United Nations publication, Sales No. E.91.XI.6.

2/ United Nations publication, Sales No. E.95.XI.1.

3/ ST/NAR.4/1994/1.

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